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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Applicant: Willer                                      | ) Art Unit: 3661   |
| Application No.: 10/648,587  | ) Examiner: Broadhead  |
| Filed: August 26, 2003   | ) 50T5549.01   |
| For: COMMON ELECTRONICS ARCHITECTURE FOR<br>VEHICLE MIRROR DISPLAY | ) December 1, 2005<br>) 750 B STREET, Suite 3120<br>) San Diego, CA 92101<br>) |

RESPONSE TO OFFICE ACTION

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This request for reconsideration of the rejections under 35 U.S.C. §103 of Claims 8, 16, and 26 and their dependent claims as being obvious over McCarthy et al., USPN 6,477,464, in view of Peterzell et al., USPP 2003/0040292, is accompanied by the enclosed RCE and fee. Reconsideration is respectfully requested on the ground that the examiner has made a factual mistake regarding Peterzell et al. in the Office Action dated September 22, 2005.

Rejections Under 35 U.S.C. §103

Claims 1-5, 7-16, 18-23, and 25-28 have been rejected under 35 U.S.C. §103 as being unpatentable over McCarthy et al. in view of Peterzell et al. This response cancels Claims 1-5 and 7.

116R-RKAM1

CASE NO.: 50T5549.01  
Serial No.: 10/648,587  
December 1, 2005  
Page 2

PATENT  
Filed: August 26, 2003

Applicant has argued that the relied-upon circuit of Peterzell et al. uses a common downconversion circuit for the I and Q input signals such that the single downconversion circuit is used for both signals. Thus, it cannot be said that the GPS receiver and wireless transceiver do not share any components other than the reference oscillator (as set forth in, e.g., Claim 8) because to the extent that both are processed by the common downconversion circuit they share the mixers 340A, 340B, etc.

The mistake in the rejections is basing the rebuttal of the above argument on paragraph 58 of Peterzell et al., contending that paragraph 58 discloses using separate components for each path but neglecting to recognize that paragraph 58 does not teach a circuit different than the one which has been distinguished. Instead, paragraph 58 teaches only that the circuit that has been distinguished may be duplicated for multiple signal types, e.g., that respective duplicate circuits can be used for cellular and GSM. Not only is this conclusion explicitly stated in paragraph 58, but it is also implied because paragraph 58 explicitly mentions duplicate front end components for duplicate signals paths, e.g., duplicate duplexers 312 and LNAs 320, which, since these components feed an oscillator, necessitates duplicate oscillators as well.

Accordingly, it remains true that Peterzell et al. fails to teach a circuit that processes two different signal types using a common oscillator and only a common oscillator. When Peterzell et al. wants to process two different signal types, it uses separate and distinct oscillators in separate and distinct circuits. Even if the separate I and Q components of Peterzell et al. are considered to be the claimed GPS signal and wireless signal (an equivalence that is never made by the reference itself), either both share more than just the oscillator as argued previously, or the separate "signals" are processed with entirely separate oscillators, as paragraph 58 teaches.

1168-58.AMI

CASE NO.: 50T5549.01  
Serial No.: 10/648,587  
December 1, 2005  
Page 3

PATENT  
Filed: August 26, 2003

Indeed, if anything paragraph 58 bolsters the case for patentability, because it explicitly teaches separate and distinct duplicate circuits each with its own distinct oscillator when multiple signals paths are present, while Applicant's claims recite a common oscillator - and only a common oscillator - to be used for multiple signal paths. In essence, all that Peterzell et al.'s paragraph 58 teaches is duplication of the entire circuit that Applicant has previously distinguished from Claims 8, 16, and 26, namely, a circuit in which more than just an oscillator is used in common. Stated differently, simply pointing to a teaching that a circuit which is different than the claimed circuit may be duplicated does not help the rejection and indeed militates toward, not away from, patentability because the underlying distinctions between Peterzell et al. and Claims 8, 16, and 26 remain.

Peterzell et al. fails to make the critical recognition reflected in varying degrees in Claims 8, 16, and 26 that by using only a common oscillator, off-the-shelf GPS and Bluetooth transceivers may be used and housed on a single module without unduly modifying either receiver (typically implemented from the manufacturer on a chip), while conserving parts and space in that only one reference oscillator is used. For this reason, not only would combining the references as proposed not arrive at amended Claims 8, 16, and 26, but only the present specification has provided the motivation to do so.

Moreover, it is axiomatic that a reference must be read in its entirety, MPEP §2142. Paragraph 29 of Peterzell et al. explicitly teaches away from using separate filters as recited in Applicant's claims, i.e., Peterzell et al. expressly teaches away from the present claims.

Therefore, since the combination of McCarthy et al. and Peterzell et al. does not disclose or suggest all elements recited in Applicant's pending independent claims, and since Peterzell et al. teaches away from a combination with the features of Applicant's claims, the obviousness rejections have been traversed.

1168-R8.AM1

CASE NO.: 50T5549.01  
Serial No.: 10/648,587  
December 1, 2005  
Page 4

PATENT  
Filed: August 26, 2003

To promote timely allowance, the amendments below cancel claims to which the above arguments do not apply.

**Rejections Under 35 U.S.C. §112, First Paragraph**

Claims 8-15 and 26-28 have been rejected under 35 U.S.C. §112, first paragraph allegedly for failing to comply with both the enablement requirement and written description requirement. Specifically, the examiner alleges failure to comply with the statutory disclosure requirements on the ground that "the current invention describes all embodiments using a SAW filter that is shared between the transceiver and receiver, [whereas] the amendments to the claims no longer allow this with the restrictive language of only sharing an oscillator."

The above allegation is wrong. On the bottom of page 5 of Applicant's specification, separate SWA filters for Bluetooth and GPS are described, albeit potentially being located on the same substrate. Moreover, as page 7, lines 15-23 of the specification explicitly state:

"In accordance with the present invention, both the GPS and Bluetooth transceivers described above receive appropriate mixing signals from a single reference oscillator 52, common to both receivers. That is, a single reference oscillator 52 feeds mixing signals to both the GPS synthesizer 48 and the Bluetooth synthesizer 52. *No other components are shared by the receivers*" (emphasis added).

**Rejections Under 35 U.S.C. §112, Second Paragraph**

The noted antecedent basis problems have been corrected.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

1168-88.AM1

FROM ROGITZ 619 338 8078

(THU) DEC 1 2005 16:15/ST.16:13/No. 6833031458 P 5

CASE NO.: 50T5549.01  
Serial No.: 10/648,587  
December 1, 2005  
Page 5

PATENT  
Filed: August 26, 2003

Respectfully submitted,

  
John L. Rogitz  
Registration No. 33,549  
Attorney of Record  
750 B Street, Suite 3120  
San Diego, CA 92101  
Telephone: (619) 338-8075

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